

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

Title 8 USC Section 1326 - Illegal Reentry by an Alien after Deportation

- Petty
 Minor
 Misdemeanor
 Felony

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

FILED

DEFENDANT - U.S.

JUN 14 2007

SANUARIO MONTOYA-ORTIZ *Ricardo W. McKing*
CLERK, U.S. DISTRICT COURT
DISTRICT COURT NUMBER *NORTHERN DISTRICT OF CALIFORNIA*
OAKLAND

PENALTY:

20 years imprisonment; \$250,000 fine; 3 years supervised release and \$100 special assessment

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

Immigration and Customs Enforcement

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed which were dismissed on motion of:

U.S. Att'y Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

4-07-70198 wdb

Name and Office of Person Furnishing Information on THIS FORM

SCOTT N. SCHOOLS

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

Bryan Whittaker, SAUSA

DEFENDANT**IS NOT IN CUSTODY**

- Has not been arrested, pending outcome this proceeding.
1) If not detained give date any prior summons was served on above charges
2) Is a Fugitive
3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
5) On another conviction
6) Awaiting trial on other charges } Fed'l State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No If "Yes" give date filed

DATE OF ARREST **4/4/2007** Month/Day/Year

Or... if Arresting Agency & Warrant were not Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

PROCESS:

SUMMONS NO PROCESS*

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

WARRANT Bail Amount:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

1 SCOTT N. SCHOOLS (SC 9990)
 2 United States Attorney
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FILED
 JUN 14 2007

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

E-filing

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

15 SANUARIO MONTOYA-ORTIZ
 16 (a/k/a Alfonso Montoya-Ortiz),

17 Defendant.

18 CR07-00377

SBA

19 VIOLATION: Title 8, United States Code,
 20 Section 1326 – Illegal Reentry by an Alien
 after Deportation

21 OAKLAND VENUE

INFORMATION

22 The United States Attorney charges:

23 On or about March 31, 2007, the defendant,

24 SANUARIO MONTOYA-ORTIZ
 25 (a/k/a Alfonso Montoya-Ortiz),

26 an alien, having been previously excluded, deported, and removed from the United States, was
 27 found in the Northern District of California, the Attorney General of the United States and the
 28 Secretary for Homeland Security not having expressly consented to a re-application by the
 defendant for admission into the United States, in violation of Title 8, United States Code,

29 ////

United States v. Sanuario Montoya-Ortiz;
 INFORMATION

1 Section 1326.

2
3 Dated: June 13, 2007

4 SCOTT N. SCHOOLS
5 United States Attorney

6 W. DOUGLAS SPRAGUE
7 Chief, Oakland Branch

8 (Approved as to form: Benjamin R. Whittaker)
9 SAUSA WHITTAKER

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United States v. Sanuario Montoya-Ortiz;
INFORMATION